TO: Agency Secretaries
Department Directors

Departmental Budget Officers
Department of Finance Budget Staff

FROM: DEPARTMENT OF FINANCE

BUDGET OFFICERS ARE REQUESTED TO FORWARD A COPY OF THIS BUDGET LETTER TO THE DEPARTMENT'S FACILITIES MANAGER AS WELL AS PROGRAM PERSONNEL WITH CAPITAL INFRASTRUCTURE NEEDS.

I. MAJOR CAPITAL OUTLAY

Five-year infrastructure plans as required by Chapter 606, Statutes of 1999 (AB 1473/Hertzberg), capital outlay budget change proposals (COBCPs), and capital outlay budget concept papers (COCPs) for all *major* capital outlay projects proposed for the 2004-05 Governor's Budget must be submitted to the Department of Finance (Finance) no later than **March 3, 2003.**

• Documents Required to Request Capital Outlay Funds:

- ✓ The department's five-year infrastructure plan, detailing project specific anticipated needs for the budget year and project or program category for four additional years. All COBCPs and COCPs submitted must be included in the five-year infrastructure plan. The Capital Infrastructure Plan Procedures manual is available on the Finance website: http://www.dof.ca.gov/fisa/bag/bagtoc.htm, Capital Infrastructure Plan Procedure. The manual includes updated program categories, the form and instructions to complete a COCP and Fiscal Impact Worksheet (FIW).
- ✓ For budget year and project specific out-year proposals included in the five-year infrastructure plan: A COBCP as described in Attachment 1.
- ✓ For conceptual proposals: A COCP as described in Attachment 2.
- ✓ For <u>ALL</u> proposals: A (FIW) as described in Attachment 3. All FIW documents must be e-mailed to the appropriate capital outlay analyst.

All documents submitted to Finance must be provided in hard copy.

When to Prepare a Five-Year Infrastructure Plan: Each department that intends to request capital outlay funding *must* submit a five-year infrastructure plan. Departments should be working closely with their Finance capital outlay analyst in the preparation of the five-year infrastructure plan. Although each five-year infrastructure plan may differ somewhat from the prior plan to account for changing circumstances and new statutory mandates, there must be clear linkages from one year's plan to the next. All year-to-year changes will have to be identified and iustified.

- When to Prepare a COBCP: Complete COBCPs are required for all new projects or capitalized leases (See Attachment 1) proposed to be included in the 2004-05 Governor's Budget. For continuing phases of previously funded projects, departments may request continuation by submitting the COBCP cover sheet and the FIW, provided there has been no change to the cost or scope of the project. A complete COBCP must be submitted for continuing projects where the scope or cost has changed.
- Requesting Budget Packages: Budget packages are used to verify feasibility, scope, and costs of projects. Finance utilizes Infrastructure Planning funds for budget packages when Finance determines a budget package is required for a specific project and funding is not otherwise available. Departments may submit requests to Finance for funding for specific budget packages or utilize departmental support funds to contract with Department of General Services (DGS), Real Estate Services Division, prior to submission of COBCPs. However, use of support funds does not guarantee future funding of a project, so departments are advised to check with Finance prior to initiating their own budget package.
- Agency Review and Distribution: COBCPs, COCPs and five-year infrastructure plans must be approved by the Agency Secretary, as applicable, *prior to* submission to Finance. After agency approval, submit:
 - ✓ Three copies to Finance, Capital Outlay Unit, 915 L Street, Ninth Floor. (Submit four copies to the Capital Outlay Unit for projects based on enrollment/caseload/population changes, program workload adjustments, or program policy changes (the extra copy will be given to the Finance support analyst).
 - ✓ **DO NOT** submit copies of COBCPs, COCPs or five-year plans to the Legislative Analyst Office (LAO). Finance will coordinate release of the information to the LAO.

These copies are in addition to any copies that the Agency Secretary may require.

- Late COBCPs: Requests for late COBCP submittals must be approved by the Agency Secretary, as applicable, and submitted in writing to James E. Tilton, Assistant Program Budget Manager, by February 14, 2003.
- Updates to Five-Year Plans and/or COBCPs and COCPs: Updates to 2004-05 five-year plans, COBCPs, and COCPs will be accepted no later than **September 5, 2003**, for:
 - ✓ Changes in construction cost indexes.
 - Conforming action to the 2003-04 Budget (update must be technical in nature).

Changes for any other reason will be deferred to the 2005-06 capital outlay budget cycle.

- Major Capital Outlay Budget Reminders:
 - ✓ All major capital outlay projects are subject to the administrative oversight of the State Public Works Board (PWB) unless specifically exempted. Departments must follow PWB and Finance administrative requirements when implementing projects. Questions on these requirements should be directed to the Finance Capital Outlay Unit at (916) 445-9694.
 - Deficiencies through Section 27.00 of the Budget Act are not allowed for capital outlay projects. Augmentations to capital outlay appropriations may be made only by the PWB in accordance with Government Code (GC) Section 13332.11, or through the Budget Act or special legislation.
 - ✓ Project scope may *not* be altered except in conformance with GC Section 13332.11. The Director of Finance determines which project changes are classified as scope changes. Project

- managers and departments must review potential scope changes with the Finance Capital Outlay Unit. **Unapproved scope changes may result in project termination.**
- ✓ Funds may not be transferred between major capital outlay projects, unless specifically authorized in the Budget Act or by other statute.
- ✓ Appropriations for preliminary plans and working drawings are available for encumbrance for only one year. Construction appropriations are available for encumbrance for up to three years, but revert at the end of the first year of appropriation if Finance has not allocated the funding through fund transfer or approval to proceed to bid.
- Assistance for Major Projects and the Five-Year Plan: Departments are encouraged to contact either their Finance capital outlay analyst at (916) 445-9694 or DGS/Customer Account Management Branch (CAM) at (916) 376-1800 for assistance *prior* to the March 3, 2003, deadline.

II. MINOR CAPITAL OUTLAY

Minor capital outlay is any project under **\$400,000** (except an acquisition project), which has been specifically budgeted as a minor project, and which a department has been authorized to implement directly pursuant to Public Contract Code Section 10808. Resource Agency capital outlay projects up to \$500,000 may be budgeted as minor projects with the concurrence of Finance. Departments may not circumvent the budget process by "piecemealing" larger projects through several minor projects.

- Deadlines and Distribution: Minor capital outlay projects are included in the five-year program as
 a lump sum for each of the five years. This lump sum must be detailed by specific project with cost
 and scope information no later than July 1, 2003, for 2004-05 minor capital outlay projects. A
 single summary COBCP is required for minor projects. Send two copies to Finance and two
 copies to DGS/CAM.
 - ✓ **Augmentations**: A minor capital outlay project is not subject to PWB oversight, and by practice PWB does not augment projects which are not subject to its approval processes. However, Finance may authorize increases to the amount approved for a minor project by redirection within the department's minor program within the same fiscal year, if the increase does not result in a project over \$400,000 (\$500,000 for certain Resources Agency projects).

Any questions regarding the above issues should be directed to your Finance capital outlay analyst at (916) 445-9694 or (ATSS) 485-9694.

Yoshie Fujiwara Program Budget Manager

Yashie Fijiwai

Attachments

Upcoming Budget Letters

 Submission of Budget Materials to the Legislative and the Legislature Analyst's Office.

CAPITAL OUTLAY BUDGET CHANGE PROPOSALS (COBCP)

A COBCP is required for all capital outlay projects (both major and minor) proposed for the Governor's Budget and for certain capitalized leases that do not have prior legislative authority. This attachment provides:

- An overview of the purpose of the COBCP.
- Additional information on when a COBCP is required.
- A sample of the required COBCP format. An electronic copy of the COBCP form and instructions for completion with illustrations are available on disk or on the Department of Finance (Finance) website at: http://www.dof.ca.gov/html/budlettr/forms/fin_form.htm, or contact your Finance capital outlay analyst.

Purpose of the COBCP: In broad terms, the COBCP justifies the funding request. Specifically, the COBCP must:

- Define the department's problem and establish its significance.
- Provide basic background and detail of alternatives considered.
- Demonstrate that the department has explored all reasonable alternatives to solving the problem and offered the most logical solution.
- Provide detailed documentation for the proposed solution and its cost.
- Explain how the project supports the department's strategic plan.

Finance will consider only those proposals that *convincingly* meet all five of these requirements.

A COBCP (or an updated COBCP) is required for:

- Any request for a capital outlay appropriation, whether for acquisition of land, structures, or construction, including minor projects. A COBCP is also required for project augmentations that exceed the Public Works Board (PWB's) augmentation authority (i.e., over 20-percent).
- Requests for Finance Letters to adjust an existing project proposal, whether for technical or policy reasons, or to add an urgent new proposal.
- Requests for provisional language to enter into a lease with purchase option. Although
 no capital expenditure is made when entering into a lease with a purchase option, the potential
 for a capital acquisition is created. The department must demonstrate, through a cost-benefit
 analysis and an associated economic analysis, that it has analyzed the potential alternatives
 (State construction, lease-purchase agreement, pure lease) and selected the best alternative
 before Finance will concur with the associated space request. Requests to exercise purchase
 option authority through the Budget Act must be submitted as a separate COBCP with an
 accompanying economic analysis. (A COBCP is required whether or not there is a related
 support BCP for lease costs.)
- Requests to enter into a lease-purchase agreement for capital assets. Although no capital
 expenditure is made under a lease-purchase agreement, a capital acquisition does occur. If the
 authorization for a lease-purchase is sought through the Budget Act, the department must
 submit a COBCP comparing alternatives to meeting its space requirements and demonstrating,

through a cost-benefit analysis, that a lease-purchase agreement is the most cost-beneficial method of project delivery.

- Exercising a purchase option on capital assets. Exercising a purchase option (even a \$1 purchase option) requires a capital outlay appropriation. An updated COBCP must be submitted showing that the proposed acquisition is still cost-beneficial considering any possible changes in program need, lease market conditions, and state construction alternatives.
- Entering into any other lease, which meets the definition of *capitalized lease*. A lease agreement is a capitalized lease (in substance, a purchase) when substantially all of the risks and benefits of ownership are assumed by the lessee. If a lease meets *any one of the following conditions*, it is a capitalized lease:
 - 1. Ownership of the leased asset is transferred to the State at the end of the lease period.
 - 2. The lease gives the lessee the option of purchasing the leased asset at a nominal value at some point during or at the end of the lease period.
 - 3. The period of the lease (a *single* term of a lease, not including renewals) is 75 percent or more of the estimated useful life of the leased asset.
 - 4. The present value of the minimum lease payments is 90 percent or more of the fair value of the leased asset (i.e., the lease payments over a *single* term of the lease are substantially the same as the purchase price).

Unless existing statute authorizes a capitalized lease (for example, Government Code Section 14669 for the Department of General Services (DGS)), the lease requires specific legislative authority. If the Budget Act will be used to provide that authority, a COBCP is required whether or not a capital outlay appropriation is needed.

- Modulars and trailers. Acquisitions of modular buildings or trailers (temporaries) where the
 temporary is intended as a permanent facility must be submitted as a COBCP. Acquisitions
 intended as an interim solution for a permanent facility or housing need must be submitted as a
 support budget request. In any event, both the Finance support and capital outlay analyst will
 concurrently review requests for temporaries to determine if the proposal is the most cost
 effective resolution to the identified problem.
- Minor alterations projects authorized by Section 6.00 of the Budget Act. Section 6.00 projects which require Finance approval and legislative notification (i.e., those costing more than \$100,000 but not greater than \$400,000) must be submitted for review to the Finance Capital Outlay Unit with substantially the same information as required in a COBCP. Finance approval is required prior to the encumbrance of funds.
- Additionally, if a support budget increase is needed as a result of a capital outlay project—
 including rent increases pursuant to a lease—a support BCP must also be submitted separately
 to the appropriate Finance support unit.
- Capital outlay projects that include an information technology (IT) component must also comply with the IT reporting requirements contained in Sections 4800 to 5953 and Sections 6700 to 6780 of the State Administrative Manual (SAM) and the State Information Management Manual (SIMM). Examples of IT activities typically included in capital outlay projects include: the purchase and/or upgrade of IT equipment or software; the installation and/or upgrade of telecommunications equipment (excluding voice only); or the installation and/or upgrade of local area network equipment or software. Finance is responsible for the review and approval of IT activities from a technology feasibility perspective; the Technology Investment Review Unit reviews IT proposals from a business cost/benefit perspective. In both cases, the review vehicle is the feasibility study report. Questions regarding Finance's IT reporting requirements

must be directed to Finance. All IT reporting requirements must be met before the IT component of a capital outlay project may be approved.

Group 2 equipment phases of projects. Group 1, fixed equipment, is incorporated into or
attached to the facility and therefore is included in the construction phase of a project. Group 2,
movable equipment, is budgeted as a separate phase. For a COBCP requesting the Group 2
equipment phase of a project, provide the project appropriation history, including the project
name, budget act items, and project code. Definitions of Group 1 and Group 2 equipment are
provided in SAM Section 6855.

For Group 2 equipment, identify how funding needs were determined. Show *all* items of equipment to be placed in a room, indicating whether the item is to be purchased by the agency or transferred from another building or location. Account for all equipment currently available in buildings to be replaced by the new structure. Final approval of equipment lists generally follows approval of preliminary plans. Exceptions to this rule are discussed in SAM Section 6855.

Movable equipment that does not meet the definition of capital outlay per SAM Section 6806 is not a capital outlay expenditure. These costs are proposed and funded in the state operations appropriation (i.e., they require a support budget change proposal).

- Coordination of STD. 9s with COBCPs and BCPs. Departments submit space action requests (STD. 9s) for:
 - ✓ New or additional space (including swing space), lease extensions, or renewals desired by an agency in noninstitutional buildings—whether state-owned or leased.
 - ✓ Relocatable buildings and trailers.

Finance approval of a STD. 9 does not constitute approval for a support budget increase or a capital outlay appropriation, or approval to include authorization language for a lease-purchase, purchase option, or option execution in the Budget Act. If any of these is required, either a support BCP or a COBCP (or both) must be submitted to Finance. SAM Section 6453 provides additional information.

- Architectural and engineering (A&E) fees. A&E fees (basic and nonbasic) are charged for
 architectural and engineering work performed either by the department or by consulting
 professionals. Expenses may also include project-related construction management support,
 such as construction inspection, travel, bidding expenses, and drawings. Generally, A&E fees
 do not exceed 13 percent of the proposed construction contract amount (excluding construction
 contingencies). Special items exceeding 13 percent (such as services related to asbestos or
 seismic) must be separately identified in the COBCPs. Contact the DGS Customer Account
 Management Branch for assistance with budgeting A&E fees.
- **Swing space for capital outlay projects**. Swing space, i.e., temporary accommodations during a facility remodel, is a state operations cost that must be noted as informational on the COBCP but requested separately as a support BCP.
- Allowable cost indices. Departments must use the California Construction Cost Index (CCCI).
 Use of any other index requires Finance concurrence. Each July, Finance releases a Budget
 Letter identifying the approved CCCI to be used when updating COBCPs for the following fiscal
 year (SAM Section 6812).

STATE OF CALIFORNIA
CAPITAL OUTLAY
BUDGET CHANGE PROPOSAL (COBCP)
COVER PAGE (REV 01/02)

DEPARTMENT OF FINANCE 915 L Street Sacramento, CA 95814 IMS Mail Code: A15

BUDGET YEAR 2004-05

ORG CODE:	COBCP NO	PRIORITY:	PROJECT ID:							
DEPARTMENT:										
PROJECT TITLE: _										
•		•	MAJOR/MINOR:_							
PHASE(S) TO BE FUNDED: PROJ CAT: CCCI/EPI: SUMMARY OF PROPOSAL:										
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PREPARED BY	DATE		REVIEWED BY	DATE						
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STATE OF CALIFORNIA
CAPITAL OUTLAY
BUDGET CHANGE PROPOSAL (COBCP)
NARRATIVE PAGE (REV 01/02)
BUDGET YEAR 2004-05

DEPARTMENT OF FINANCE 915 L Street Sacramento, CA 95814 IMS Mail Code: A15

OF	RG CODE: COBCP NO PRIORITY: PROJECT ID:										
pa	ing the attached page, follow the format outlined below and fully address all of the items. Use addition ges as needed. Certain projects may require additional information. Questions should be referred to a Department of Finance.										
A.	PURPOSE OF THE PROJECT: (problem, program need, infrastructure deficiency)										
В.	RELATIONSHIP TO THE STRATEGIC PLAN: (relevance of problem/need to mission and goals)										
C.	C. ALTERNATIVES: (for each, describe the proposed alternative and provide a brief summary of scope, cost, funding source, program benefits, facility management benefits, and impact on support budget)										
D.	RECOMMENDED SOLUTION:										
	1. Which alternative and why?										
	2. Detail scope description.										
	3. Basis for cost information.										

4. Factors/benefits for recommended other than the least expensive alternative.

mandatory reviews and approvals, e.g., technology proposals).

5. Complete description of impact on support budget.

6. Identify and explain any project risks.

NARRATIVE, PAGE ___ OF ___

7. List requested interdepartmental coordination and/or special project approval (including

STATE OF CALIFORNIA
CAPITAL OUTLAY
BUDGET CHANGE PROPOSAL (COBCP)
NARRATIVE PAGE (REV 01/02)

DEPARTMENT OF FINANCE 915 L Street Sacramento, CA 95814 IMS Mail Code: A15

BUDGET YEAR 2004-05

ORG CODE:	COBCP NO:	PRIORITY:	PROJECT ID:	

NARRATIVE, PAGE ___ OF ___

CAPITAL OUTLAY BUDGET CONCEPT PAPER (COCP)

A COCP is required for all conceptual capital outlay proposals included in the five-year infrastructure plan. This attachment provides:

- An overview of the purpose of the COCP.
- Information on when a COCP is required.
- A sample of the required COCP format. An electronic copy of the COCP form and instructions for completion are available on the Department of Finance Budget Letters website.

Purpose of the COCP: The COCP has been developed for use in place of the traditional COBCP for those needs that cannot be described as a specific project. To the extent possible, the COCP must justify the funding request. Specifically, the COBCP must:

- Define the department's problem and establish its significance.
- Provide basic background and detail of alternatives considered.
- Demonstrate that the department has explored all reasonable alternatives to solving the problem and offered the most logical solution.
- Provide assumptions/methodology for the proposed solution and its cost.

A COCP (or an updated COBCP) is required for:

 Any request for inclusion in the Five-Year Infrastructure Plan, whether for acquisition of land, structures, or construction, including minor projects.

Capital Outlay Concept Paper

Plan Year: (year for which capital outlay plan is proposed)

Department: (Name of Department)

Org. Code: (4 digit code)

Program	Category:
Program	Subcategory:
Project T	itle:
Project II	D: xx.xx.xxx (project specific proposals only)
Funding	Source: (Fund Name and Code)
Impact o	n Support Budget:
□ Yes	□ No.

	BY+1	BY+2	BY+3	BY+4
Cost	\$\$\$	\$\$\$	\$\$\$	\$\$\$

	ASF/USF	GSF
New Construction		
Reconstruction		

- 1. Summary of Proposal:
- 2. Problem Identification:
- 3. Alternative Solutions Considered:
- 4. Detailed Project Description/Recommended Solution:
- 5. Summary of Space Standards/Methodology:
- 6. Summary of Cost Methodology:

Approval:	Signature	Printed Name	Date
Preparer:			
Budget Officer:			
Department Director:			
Agency Secretary:			

FISCAL IMPACT WORKSHEET (FIW)

A FIW is required for ALL capital outlay proposals, conceptual and project specific, included in the five-year infrastructure plan. This attachment provides:

- An overview of the purpose of the FIW.
- A sample of the required FIW format. An electronic copy of the FIW form and instructions for completion are available on the Department of Finance Budget Letters website.

Purpose of the FIW: The FIW serves as the source data for Finance's Capital Outlay Project Tracking System (COPTS). **IT IS CRITICAL TO FOLLOW THIS FORMAT. DO NOT ADD OR DELETE ROWS OR COLUMNS.**

- The FIW (lines 1 through 50 of the COBCP spreadsheet) is used to report a project's cost and funding data, schedules, and project specific codes.
- The Fiscal Detail Worksheet (lines 51 through 100 of the FIW) is used to collect detail information to support the cost/benefit analysis for the project.
- The Scope Worksheet (lines 101 through 135) is used to summarize the scope language related to a project.

An FIW is required to be included with <u>any</u> request for inclusion in the Five-Year Infrastructure Plan.

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